

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department –
Cancellation of Lease of land to an extent of Ac.24-23 guntas of
Hyderabad Urban Development Authority at Moosapet Village,
Balanagar Mandal, Ranga Reddy District to M/s DLF Building India
Private Limited, New Delhi - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (I1) DEPARTMENT

G.O.Ms.No. 244

Dated: 30.06.2012

Read the following:

1. From Vice Chairman, Hyderabad Urban Development Authority, Hyderabad Lr.No.B4/1154/2008, Dated 12.02.2008 along with proposals submitted by the DLF Limited, New Delhi.
2. G.O.Ms.No.559 MA&UD (I1) Department Dated 12.08.2008.
3. From Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad Lr.No.B4/1154/ 2008, Dated 09.10.2011.
4. Government Lr.No.26352/I1/2012 Dated 06.03.2012.
5. From Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad Proceeding.No.B4/1154/ 2008, Dated 15.03.2012
6. From Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad Lr.No.B4/1154/ 2008, Dated 16.03.2012.
7. Government Memo.No.23652/I1/2011, Dated 16.05.2012 (Show Cause Notice)
8. From DLF Limited, DLF Centre, Sansad Marg, New Delhi, Dated 04.06.2012
9. From Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad Lr.No.B4/1154/ 2008, Dated 19.06.2012.

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ORDER:

In the reference 1st read above, the Vice Chairman, Hyderabad Urban Development Authority while forwarding the representation made by the Managing Director and Operations Director of M/s. D.L.F Limited, Gurgaon, DLF Center, Sansad Marg, New Delhi – 110001 requested the Government for allotment of land to an extent of Ac.25-30 guntas at Moosapet, Hyderabad on lease to set up Mega Agriculture Hub.

2. Taking into consideration the above representation and recommendation of the Hyderabad Urban Development Authority, Government vide G.O.Ms.No.559, Municipal Administration & Urban Development Department (I1) Department Dated 12.08.2008 permitted the Hyderabad Urban Development Authority to lease out its land admeasuring Acres 24-23 guntas situated at

P.T.O

Moosapet Village ,Balanagar Mandal, Ranga Reddy District to M/s DLF Building India Limited to set up an 'Integrated Mega Agriculture Hub' for a period of 33 years on payment of 5% of the market value as annual lease rent with annual escalation of 5% over the previous year amount, in relaxation of the existing orders subject to same terms and conditions as in the case of Metro Cash and Carry and fulfillment of commitments made by M/s. DLF Building India Limited as reported by Vice Chairman, Hyderabad Urban Development Authority in his letters above, in terms of investment, employment, training and marketing facilities to the farmers etc. Further, no multiplex shall be allowed in the above site.

3. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority in his report dated 09.10.2011 has reported that the DLF Centre Sansad Marg, New Delhi has requested the Vice Chairman, Hyderabad Urban Development Authority to execute the lease deed in the name of their group subsidiary company M/s DLF SBPL Developers Private Limited having its office IE, Jandenwala Extension, Naaz Cinema Complex, New Delhi and this letter is signed by Authorized Signatory for DLF Limited without any authorization by the Board of DLF Centre. Accordingly, the Hyderabad Urban Development Authority has executed a lease deed No.1871/08, Dated 27.08.2008 with M/s DLF SBPL Developers Private Limited IE, Jandenwala, Extension, Naaz Cinema complex, New Delhi represented by Mr. S Durga Prasad S/o Gattaiah, Advocate who is said to be authorized signatory, duly authorized by their board of Directors vide its resolution Dated 20.08.2008 and handed over possession of land. As per condition No.(1) of the lease deed, the lessee shall pay monthly a sum of Rs.39,64,767/- towards lease rentals in advance every month before 10th day of every succeeding month regularly after the lessor getting the approval of Change of Land Use as required under clause (2) of the lease deed. As per clause (3) of the lease deed, the parties agreed that the lease rent shall be payable only from the date of Lessor get the land use change as per clause (2) above.

4. The Lessee has failed to pay any lease rentals. Hence Hyderabad Metropolitan Development Authority issued a notice to M/s DLF SBPL Developers Private Limited, IE, Jandenwala, Extension, Naaz Cinema complex, New Delhi by registered post directing to remit the lease rental amount of Rs.3,96,47,670/- failing which action will be taken for cancellation of the lease deed, as per the conditions of the lease deed. However the lessee has failed to remit the lease amount to Hyderabad Metropolitan Development Authority. As per the above conditions stipulated by the Government and Hyderabad Metropolitan Development Authority, it is found that the applicant / developer M/s DLF Limited, New Delhi have violated the lease conditions and accordingly the Government of Andhra Pradesh and Hyderabad Urban Development Authority have taken action and terminated the lease agreement and resumed the land duly following the procedure as laid down.

5. Government observed that M/s DLF Limited, New Delhi have failed to set up Integrated Mega Agricultural Hub in the leased land admeasuring acres 24-23 guntas situated at Moosapet Village,

Balanagar Mandal, Ranga Reddy District, Andhra Pradesh given by the Government of Andhra Pradesh and also failed to pay 5% of the market value as Annual Lease Rent with annual escalation of 5% over the previous year amount for Rs.3,96,47,670/.

6. Accordingly a Show Cause Notice was issued to M/s DLF Limited, New Delhi vide Memo 7th read above for their explanation as to why the orders issued vide G.O.Ms.No.559 Dated 12.08.2008 should not be cancelled for failure to set up Integrated Mega Agricultural Hub in the said leased land given by the Government of Andhra Pradesh within the stipulated time.

7. M/s DLF Limited, New Delhi furnished explanation vide reference 8th read above and denied averments made in the Show Cause Notice.

8. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority in his report vide 9th read above has reported that M/s DLF Building India Private Limited have failed to set up Integrated Mega Agricultural Hub in the said leased land admeasuring Acres 24-23 guntas situated at Moosapet Village, Balanagar Mandal, Ranga Reddy District given by the Government of A.P within the stipulated time and also failed to pay the lease rental amount and violated the lease agreement also. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority has therefore requested the Government to cancel the G.O.Ms.No.559, MA&UD Department Dated 12.08.2008 in which the land was allotted on lease basis to M/s DLF Building India Limited without prejudice to the right of the Hyderabad Metropolitan Development Authority on collection of lease rentals as per rules.

9. Government after careful examination of the matter consider that the M/s DLF Building India Limited or M/s DLF Limited, Gurgaon, DLF Center, Sansad Marg, New Delhi have failed to establish to set up Integrated Mega Agricultural Hub in the said leased land admeasuring Acres 24-23 guntas situated at Moosapet Village, Balanagar Mandal, Ranga Reddy District given by the Government of Andhra Pradesh within the stipulated time and also failed to pay the rent amount and violated the lease agreement also. The explanation submitted by the M/s DLF Limited is therefore not satisfactory. Under the above circumstances, Government have decided to cancel the land allotted in favour of M/s DLF Building India Limited admeasuring Acres 24-23 guntas situated at Moosapet Village, Balanagar Mandal, Ranga Reddy District on lease basis in the public interest.

10. Accordingly, Government hereby cancel the orders issued in G.O.Ms.No.559, Municipal Administration & Urban Development Department Dated 12.08.2008 with immediate effect in which land admeasuring Acres 24-23 guntas situated at Moosapet Village, Balanagar Mandal, Ranga Reddy District was allotted in favour of M/s DLF Building India Limited on lease basis in the public interest without prejudice to the right of the HMDA to collect lease rentals as per rules.

11. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority is instructed to take necessary action for recovery of lease rentals as per rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority,
Hyderabad (with a request to serve the above order and furnish the acknowledgement to the Government urgently for record).

Copy to:
M/s. D.L.F. Limited,
Gurgoan, DLF Center,
Sansad Marg, New Delhi – 110001
(By Registered Post with acknowledgement due)
The Commissioner, Greater Hyderabad Municipal Corporation,
Hyderabad.
The District Collectors, Hyderabad & Ranga Reddy Districts.
The Law (A) Department.
The P.S. to Secretary to Chief Minister / P.S. to M (MA)

// FORWARDED :: BY ORDER //

SECTION OFFICER